

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ADRIAN PEREZ,

Plaintiff,

v.

SANDOVAL, et al.,

Defendants.

Case No. 1:22-cv-00391-ADA-SKO (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS TO DISMISS  
ACTION FOR FAILURE TO OBEY COURT  
ORDERS AND FAILURE TO PROSECUTE

(ECF No. 11)

Plaintiff Adrian Perez (“Plaintiff”) is proceeding *pro se* and *in forma pauperis* in this civil rights action brought pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On May 2, 2023, the Magistrate Judge found that Plaintiff failed to obey the Court’s orders and failed to prosecute this action. (ECF No. 11.) Specifically, the Magistrate Judge found that Plaintiff failed to respond to the Court’s First Screening Order issued March 10, 2023, and the Order to Show Cause (OSC) issued April 12, 2023; further, Plaintiff failed to keep the Court apprised of his current and correct address. (*Id.* at 3-4.) Therefore, the Magistrate Judge recommended that this action be dismissed without prejudice. (*Id.* at 4-5.) Plaintiff was to file any objections to the findings within fourteen days. (*Id.* at 5.) To date, no objections have been filed.

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On May 15, 2023, the findings and recommendations were returned to the Court by the United States Postal Service. The envelope was marked “Undeliverable” and “Paroled.” (*See* Docket Entry dated 05/15/2023.)<sup>1</sup>

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a *de novo* review of this case. Having carefully reviewed the file, the Court finds the findings and recommendations to be supported by the record and proper analysis.

Accordingly,

1. The findings and recommendations, (ECF No. 11), issued May 2, 2023, are ADOPTED in full;
2. This action is DISMISSED without prejudice for Plaintiff’s failure to obey court orders and failure to prosecute; and
3. The Clerk of the Court is directed to close this case.

IT IS SO ORDERED.

Dated: June 30, 2023

  
UNITED STATES DISTRICT JUDGE

<sup>1</sup> Both the First Screening Order and the OSC were also returned by the postal service. *See* Docket Entries dated 3/20/23 & 4/21/23.